

STATE OF NEW HAMPSHIRE

INTER-DEPARTMENT COMMUNICATION

FROM Paul Currier, Watershed Management
Bureau Administrator

Date March 17, 2010

Offices
Dept of Environmental Services
Water Division

SUBJECT Update on Env-Wq 1700 Rule Changes

TO Water Quality Standards Advisory
Committee

Prior to initiating rulemaking with Joint Legislative Committee on Administrative Rules, DES completed an internal review of the proposed rule changes to Env-Wq 1700 prepared by the WQSAC.

As a result of this review, the proposed edits to Env-Wq 1703.08 through 1703.11, 1703.13, 1703.14, 1703.18, and 1708.06 have been dropped from the rulemaking proposal. These proposed edits had removed “unless naturally occurring” language and adjusted the language regarding the protection of Class A waterbodies. DES deleted these sections from the proposed rule changes because antidegradation and the water classification system will be discussed in the upcoming WQSAC work on HB 1305 and 1348. Not all of the stakeholders with concerns about these issues had the opportunity to participate in the WQSAC meetings when the recommended changes were developed. Therefore, because of the likelihood of additional changes to these sections of the rules in the next six months, DES decided to postpone rulemaking on these sections.

The proposed rule changes to Env-Wq 1708.10 and 1708.12 will be taken through the formal rulemaking process with minor edits to the language developed by the WQSAC.